

Entered - 5-29-01 - sb
CL 0L0336 - ALEXIS HOLMES

01- 12-1610

CLAIM OF: **NANCY JOSEPH**
Through her Attorneys
Orlando & Kopelman, P.C.
Decatur Court
Suite 400
315 West Ponce De Leon Avenue
Decatur, Georgia 30030

For bodily injuries alleged to have been sustained as a result of a vehicular accident on November 16, 2001 at Custer and Woodland Avenues.

BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **NANCY JOSEPH THROUGH HER ATTORNEYS ORLANDO & KOPELMAN, P.C.** the sum of **\$2,000.00** in full settlement and satisfaction of all claims, past, present and future, of every kind and character **for bodily injuries alleged to have been sustained as a result of a vehicular accident on November 16, 2001 at Custer and Woodland Avenues** as is more particularly set forth in the within claim; said sum taken from and charged to account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

APPROVED: **SUSAN PEASE LANGFORD**
CITY ATTORNEY

BY: 
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 01L0336

Date: 6/26/01

Claimant /Victim FELANCIE JOSEPH

BY: (Atty)(Ins.) Orlando & Kopelman, P.C.

Address: Decatur Court Suite 400 315 West Ponce De Leon Avenue, Decatur, Georgia 30030

Subrogation: Claim for Property damage \$ Bodily Injury \$ 2,626.00

Date of Notice: 5/8/01 Method: Written, proper X Improper

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 11/16/00 Place: Custer and Woodland Avenues

Department Public Works Division: Waste Water Services

Employee involved David Aaron Cook Disciplinary Action: Oral Admonishment

NATURE OF CLAIM: Claimant states that she sustained injuries when she was a passenger in a vehicle that stopped to yield for another vehicle, and was struck in the rear by a City vehicle.

INVESTIGATION:

Statements: City employee Claimant Other X Written X Oral X

Pictures Diagrams X Reports: Police X Dept Report Other

Traffic citations issued: City Driver X Claimant Driver

Citation disposition: City Driver Dismissed Claimant Driver

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial

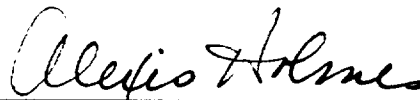
Improper Notice More than Six Months Other X Damages reasonable X

City not involved Offer rejected Compromise settlement X

Repair/replacement by Ins. Co. Repair/replacement by City Forces

Claimant Negligent City Negligent X Joint Claim Abandoned

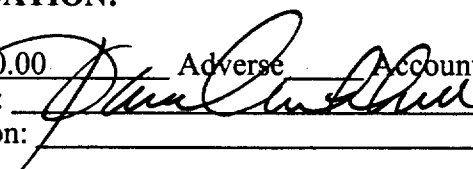
Respectfully submitted,



INVESTIGATOR - ALEXIS HOLMES

RECOMMENDATION:

Pay \$ 2,000.00 Adverse Account charged: 1A01 X 2J01 2H01

Claims Manager:  Concur/date 06-26-01

Committee Action: Council Action

ORLANDO & KOPELMAN, P.C.

ATTORNEYS AT LAW

DECATUR COURT

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ROGER W. ORLANDO

RICHARD KOPELMAN

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Holmes
05/29/01

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May 7, 2001 **ENTERED - 5-29-01 - SB**
 01L0336 - ALEXIS HOLMES

City of Atlanta

Attention: Law Department

68 Mitchell Street, SW, Suite 4100

Atlanta, Georgia 30335

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

7099 3220 0003 9610 6719

RE: Your Insured:	Driver - David A. Cook
Claim/Policy Number:	Fleet Insurance
Date of Loss:	11-16-00
Our Client(s):	Felancie & Nancy Joseph
Our File No.:	3022-2


Dear Sir or Madam:

This is to advise you that this firm has been retained to represent the interests of Felancie & Nancy Joseph, who were injured (and sustained collision damage) on November 16, 2000. Enclosed please find the motor vehicle accident report for your information and file.

Pursuant to O.C.G.A. § 33-3-28 kindly provide us with the limits of any insurance applicable to the subject incident, including liability insurance, medical payments insurance or any other coverage. Please direct any future inquiries to this office and avoid any contact whatsoever with our client. Thank you for your cooperation and assistance in this matter. I look forward to working with you.

Sincerely,

ORLANDO & KOPELMAN, P.C.


Jeffrey K. Cease

JKC/sd

Enclosure

cc: David A. Cook (via certified mail return receipt requested, No. 7099 3220 0003 9611 6800)

GENERAL RELEASE AND INDEMNIFICATION

CLAIM NUMBER 01L0336

\$ 2,000.00

IN CONSIDERATION of the sum of TWO THOUSAND AND 00/100
DOLLARS, to be paid to me by the CITY OF ATLANTA, the future receipt of which is hereby
acknowledged, I do hereby, for myself, my heirs, executors, administrators, and assigns, release and forever
discharge said City, its officers and employees, including but not limited to David A. Cook, from any and all
claims, demands, actions, causes of action, suits, damages, loss and expenses, of whatsoever kind or nature for or
on account of anything that has heretofore occurred, and particularly for or on account of a vehicular accident
which occurred on or about the 16th day of November, 2000
at or near Custer and Woodland Avenues

It is further understood and agreed that the payment of the above named sum is not to be considered as an
admission on the part of the City, its officers, agents, servants or employees, of any liability whatsoever and the
undersigned further covenants and agrees to indemnify and hold harmless the City of Atlanta, its officers, agents,
servants and employees, from any and all claims, damages or costs which the said City of Atlanta, its officers,
agents, servants and employees, may be called upon to make as a result of the event hereinbefore referred to.

And I now state that the only consideration for my signing this release and indemnification is the payment
of the sum stated above; that no other promise or agreement of any kind or nature has been made to or with me by
said City or its agents to cause me to sign this release, and that I fully understand the meaning and intent of this
instrument.

WITNESS my hand and seal this _____ day of 9-13, 2001.

Nancy Joseph (LS)
NANCY JOSEPH through her attorneys ORLANDO &
KOPELMAN, P.C.

(LS)

The above release was read and explained to, and signed by the said Nancy Joseph

_____ in our presence on the date above written.

Jeffrey R. Carr

WITNESSES